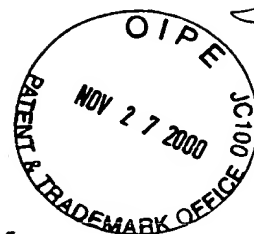


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Bosch et al.)
Serial No.: 09/190,138) Group Art Unit: 1615
Filed: November 12, 1998) Examiner: P.E. McQueeney



For: DRY POWDER AEROSOLS OF NANOPARTICULATE DRUGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.111

This Amendment is filed in response to the Office Action mailed on March 22, 2000. 1999. While a shortened statutory period for response has expired, filed herewith is a Petition for a one month extension of time to extend the period for response to **December 21, 2000**.

IN THE CLAIMS:

Please cancel claims 37, 38, and 50, without prejudice or disclaimer thereof, and amend the following claims.

11. (Twice Amended) A spray-dried powder aerosol composition comprising aggregates of nanoparticulate drug particles, wherein:
- (a) the nanoparticulate drug particles:
 - (i) comprise a poorly soluble crystalline drug, wherein by "poorly soluble" it is meant that the drug has a solubility in at least one liquid dispersion medium of less than about 10 mg/ml,
 - (ii) have an effective average particle size of less than about 1000 nm, meaning at least 50% of the drug particles have a particle size of less than about 1000 nm, and